

07/10/01

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2313-116

First Inventor

Wei-Sing CHU

Title

**ULTRASOUND-MEDIATED HIGH-SPEED BIOLOGICAL
REACTION & TISSUE PROCESSING**1c978 U.S. PRO
09/901014

07/10/01

Assignee Information: American Registry of Pathology, Washington, D.C.**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

**Assistant Commissioner of Patents
Box Patent Application
Washington, D.C. 20231**

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
3. ☒ Specification Total pages [47]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross references to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) (Total Sheets) [16]
5. ☒ Oath or Declaration (Total Pages) [3]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application
(37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
6. ☒ Application Data Sheet.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program
8. Nucleotide and/or Amino Acid Sequence Submission
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee)
 - ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement /PTO 1449
 - ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s).
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
17. ☒ Other: Petition to Accept Color Photographs
Under 37 C.F.R. §1.84(a)(2)

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76::

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/407,964Prior application information: Examiner C. Chin Group/Art Unit 1641For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<input checked="" type="checkbox"/> Customer Number or Bar Code Label 6449					
Address		Rothwell, Figg, Ernst & Manbeck Suite 701-East, 555 13th Street, N.W.			
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031
Name	Stephen A. Saxe, Ph.D., Reg. No. 38,609				
Signature	<i>Stephen A. Saxe</i>			Date <i>July 10, 2001</i>	

FEE TRANSMITTAL for FY 2001 (Small Entity)		Complete if Known	
		Application Number	New Application
		Filing Date	Herewith
		First Named Inventor	Wei-Sing CHU
		Examiner Name	To Be Assigned
		Group Art Unit	To Be Assigned
Total Amount of Payment	(\$485.00)	Attorney Docket Number	2313-116

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.

2. ☒ Payment Enclosed:

☒ Check

☐ Credit Card

FEE CALCULATION
1. FILING FEE

Fee Code	Fee \$	Fee Description	Fee Paid
201	355	Utility filing fee	\$355.
206	160	Design Filing Fee	[]
207	245	Plant Filing Fee	[]
208	355	Reissue Filing Fee	[]
214	75	Provisional Filing Fee	[]

SUBTOTAL \$355.00

2. CLAIMS

Total Claims Independent	Extra Claims	Fee	Fee Paid
[10]	- 20** = [0] x	\$ 9 = []	[]
Claims	[1] - 3** = [0] x	40 = []	[]
Multiple Dependent Claims	+	135 = []	[]

**or number previously paid, if greater;

SUBTOTAL \$00.00

FEE CALCULATION (continued)
3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[]
227	25	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
215	55	Extension for reply within first month	[]
216	195	Extension for reply within second month	[]
217	445	Extension for reply within third month	[]
218	695	Extension for reply within fourth month	[]
228	945	Extension for reply within fifth month	[]
219	155	Notice of Appeal	[]
220	155	Filing a brief in support of an appeal	[]
221	135	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
240	55	Petition to revive -unavoidable	[]
241	640	Petition to revive - unintentional	[]
242	620	Utility issue fee (or reissue)	[]
243	220	Design issue fee	[]
244	300	Plant issue fee	[]
122	130	Petitions to the Commissioner	\$130.
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
246	355	Filing a submission after final rejection (37 CFR .129(a))	[]
249	355	For each additional invention to be examined (37 CFR 1.129(b))	[]
279	355	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing an application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$130.00

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Stephen A. Saxe, Ph.D., Reg. No. 38,609		
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	
<i>Stephen A. Saxe</i>	<i>July 10, 2001</i>		

2313-116
SAS:lew

Jc978 U.S. PTO
09/901014
07/10/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
)
Wei-Sing CHU)
)
Serial No.: New--Div. of 09/407,964) Examiner: To Be Assigned
)
Filed: Herewith)
) Group Art Unit: To Be Assigned
For: ULTRASOUND-MEDIATED)
HIGH-SPEED BIOLOGICAL)
REACTION AND TISSUE)
PROCESSING)

PETITION TO ACCEPT COLOR PHOTOGRAPHS
UNDER 37 C.F.R. § 1.84(a)(2)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit three (3) copies of the color photographs (submitted concurrently with all of the formal drawings) which comprise Figures 10A-B, 11A-B and 12A-B of the drawings, in compliance with the provisions of 37 C.F.R. § 1.84(a)(2). Also included is the requisite petition fee set forth in 37 C.F.R. §1.17(h). In view of the interim waiver that black and white photocopies of the color drawings are no longer necessary, no black and white photocopies of the color photographs are being submitted. It is believed that color drawings are necessary to accurately and completely show the immunological staining and hybridization results of fixed tissue sections of the present invention.

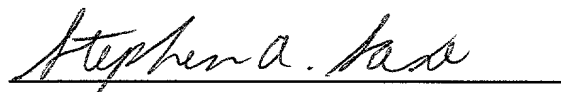
07/13/2001 VTRUONG1 00000035 09901014

02 FC:122

130.00 GP

If any additional fees or overpayments are noted, the same should be charged or credited to Deposit Account No. 02-2135. One additional copy of this Petition is enclosed for that purpose.

Respectfully submitted,

A handwritten signature in cursive script, reading "Stephen A. Saxe", is written over a horizontal line.

Stephen A. Saxe
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